

INSTRUCTIONS

Please read carefully. An incomplete application may be returned to you, causing a delay in the processing of your application. If you need more space to complete an answer, add continuation sheets.

1. Can you file? You must be an eligible national of a foreign state (or parts thereof) that has been designated for Temporary Protected Status by the Attorney General pursuant to section 244A of the Immigration and Nationality Act. You should check with the nearest office of the Immigration and Naturalization Service for designations currently in force.

2. What documents do you need? *YOU DO NOT NEED TO PROVIDE ORIGINAL DOCUMENTS WITH THIS APPLICATION.* You must give INS copies of documents to prove you are a national of the country designated for Temporary Protected Status, your date of entry into the United States, and your residence in the United States.

- A. INS may still require original documents from you in certain circumstances.
- B. Copies of documents in a foreign language must be accompanied by a English translation. The translator must certify that the translation is accurate and that he or she is competent to translate.
- C. Exception: If you are filing this application for annual registration/re-registration purposes (Part 1-2 on Form I-821) you do not have to submit any copies of documentation. You may, however, be asked for additional information and/or documentation in certain circumstances.

3. What documents do you need to prove identity and nationality? Any of the following:

- A. Passport;
- B. Birth certificate accompanied by photo identification; or
- C. Any national identity document from your country of origin bearing photo and/or fingerprint.

4. What documents do you need to prove date of entry into the United States? Any of the following:

- A. Passport;
- B. I-94 Arrival/Departure Record;
- C. Copies of documents specified in item #5.

5. What documents do you need to prove residence in the United States? Any relevant documents such as:

- A. Employment records (e.g. pay stubs, W-2 Forms, certification of the filing of Federal income tax returns, state verification of the filing of state income tax returns, letters from employer(s) or, if you are self employed, letters from banks and other firms with whom you have done business.

In all of the above, your name and the name of the employer or other interested organization must appear on the form or letter, as well as relevant dates. Letters from employers must be in affidavit form, and shall be signed and attested to by the employer under penalty of perjury. Such letters must include: (1) your address(es) at the time of employment; (2) Exact period(s) of employment; (3) Period(s) of layoff; (4) Duties with the company. If the records are unavailable, an affidavit form-letter stating that your employment records are unavailable and why such records are unavailable may be accepted. This affidavit form-letter shall be signed and attested to by the employer under penalty of perjury;

- B. Rent receipts, utility bills (gas, electric, phone, etc.), receipts, or letters from companies showing the dates during which you received service;
- C. School records (letters, report cards, etc.) from the schools that you or your children have attended in the United States showing name of school and periods of school attendance;
- D. Hospital or medical records showing treatment or hospitalization of you or your children, showing the name of the medical facility or physician and the date(s) of the treatment or hospitalization;
- E. Attestations by churches, unions, or other organizations to your residence by letter which: identify you by name; are signed by an official (whose title is shown); shows inclusive dates of membership; state the address where you resided during membership period; include the seal of the organization impressed on the letter or the letterhead of the organization, if the organization has letterhead stationery; establish how the author knows you; and establish the origin of the information being attested to;
- F. Additional documents may include: money order receipts for money sent in or out of the country; passport entries; birth certificates of children born in the United States; bank books with dated transactions; correspondence between you and another person or organization; Social Security card; Selective Service card; automobile license receipts, title, vehicle registration, etc.; deeds, mortgages, contracts to which you have been a party; tax receipts; insurance policies, receipts, or letters; or
- G. Any other relevant document.

6. What if documents are not available? If documents are not available, you can give INS an affidavit showing proof of unsuccessful efforts to obtain the documents, explaining why the consular process is

unavailable (for identity documents), and affirming that you are a national of the designated state. Affidavits may also be used to help prove date of entry into the United States and residence in the United States. (INS may require a statement from the appropriate issuing authority certifying that the needed document is not available.) In addition to your own affidavit, written statements sworn to or affirmed by two persons who were living at the time and who have personal knowledge of the event you are trying to prove. The persons making the affidavits need not be citizens of the United States. Each affidavit should contain the following information regarding the person: his or her full name, address, date and place of birth, and his or her relationship to you, if any; full information concerning the event; and complete details concerning how the person acquired knowledge of the event.

7. What else is required to be submitted with this application?

- A. Two completed and signed Fingerprint Cards, Form FD-258, if you are 14 years of age or older.
- B. Two color photos of you taken within 30 days of the date of this application. The photo must have white backgrounds, must be glossy, unretouched, and not mounted. The dimension of the facial image should be about 1 inch from chin to top of hair in 3/4 frontal view, showing the right side of the face with the right ear visible. Using pencil or felt pen, lightly print name (and Alien Registration Number, if any) on the back of the photographs.

8. How should you prepare this form?

- A. Type or print legibly in black or blue ink or ball point pen.
- B. If you need extra space to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
- C. Answer all questions fully and accurately. If any item does not apply, please write "N/A"

9. Where should you file this form? The Service office having jurisdiction over your place of residence will accept this application either in person or through the mail or both. You should make inquiry of the Service office for filing instructions.

10. What is the fee? You must pay an application fee. The exact amount of the fee will be determined at the time the Attorney General designates nationals of a foreign state for Temporary Protected Status. All fees, except those presented when filing in person, must be in the form of a money order, cashier's check or certified bank check. **NO PERSONAL CHECKS OF ANY TYPE WILL BE ACCEPTED.** Cash is acceptable only when you present an application in person. **DO NOT MAIL CASH.** All money orders, cashier's checks or certified bank checks must be made payable in U.S. currency at a financial institution in the United States. Please assure that if a check or money order is drawn on the account of a person other than yourself, your name appears in the lower left corner on the face of the check or money order. If the check is not honored, INS will charge you \$5.00.

Make the check or money order payable to "Immigration and Naturalization Service". However,

- A. if you live in Guam: Make the check or money order payable to "Treasurer, Guam", or
- B. if you live in the U.S. Virgin Islands: Make the check or money order payable to "Commissioner of Finance of the Virgin Islands".

11. Employment Authorization and Travel.

- A. Form I-765 is required for all TPS applicants, regardless of age, and regardless of whether employment authorization is desired, since the I-765 is the data entry document for the Temporary Protected Status Program. You may be charged a fee for the filing of the I-765 depending on the differing statutory and regulatory requirements that apply to you .
- B. If your application for Temporary Protected Status is granted and you desire to travel outside the United States and return you must request advance parole from the district director having jurisdiction over your residence and pay the prescribed fee. Form I-512 will be issued to you if your request for advance parole is granted.

12. May the filing fees for Form I-821 and I-765 be waived? Yes. If you are poor and unable to pay the filing fees, 8 C.F.R. 103.7(c) provides that you may apply for a waiver of the filing fees. In order to obtain a fee waiver, you must submit with these forms a written statement, made under oath, affirmation or, pursuant to 28 U.S. C. 1746, under penalty of perjury. In the written statement you must indicate that you believe you are eligible for Temporary Protected Status and that you want to have the filing fees waived. You must also indicate why you are unable to pay the required fees.

13. What is our authority for collecting this information? We request the information on the form to carry out the immigration laws contained in Title 8, United States Code, Section 1154(a). We need this information to determine whether you are eligible for immigration benefits. The information you provide may also be disclosed to other federal, state, local, and foreign law enforcement and regulatory agencies. You do not have to give this information. However, if you do not give some or all of it, your application may be denied.

14. Reporting Burden. Public reporting burden for this information collection is estimated to average 1 hour and 30 minutes computed as follows: 1) learning about the form, and understanding the instructions, 30 minutes; 2) collecting the necessary supporting documents 15 minutes; 3) completing the form, 15 minutes; and 4) traveling to and waiting at a preparer's office (e.g. attorney or voluntary agency), 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to both the Immigration and Naturalization Service, 425 I Street, N.W.; Room 5304, Washington, D.C. 20536; and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115-0170, Washington, D.C. 20503.

START HERE - Please Type or Print

Part 1. Type of Application (*check one*)

1. ____ This is my first application to register for Temporary Protected Status.
2. ____ This is my application for annual registration/re-registration. I have previously been granted Temporary Protected Status. I have maintained and continue to maintain the conditions of eligibility for Temporary Protected Status.

Part 2. Information about You

Family Name	First	Middle Initial
-------------	-------	----------------

U.S. Mailing Address - Care of

Street Number and Name	Apt. #
------------------------	--------

Town/City	County
-----------	--------

State	ZIP Code
-------	----------

Place of Birth (Town or City)	(State/Country)
-------------------------------	-----------------

Country of Residence	Country of Citizenship
----------------------	------------------------

Date of Birth (<i>month/day/year</i>)	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
---	---

Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widowed	Other Names Used (<i>including maiden name</i>)
--	---

Date of entry into the U.S.	Place of entry into the U.S.
-----------------------------	------------------------------

Manner of Arrival (*Visitor, student, stowaway, without inspection, etc.*)

Arrival/Departure Record (I-94) Number	Date authorized stay expired/or will expire, as shown on form I-94 or I-95
--	--

Your current immigration Status

In Status (*state nonimmigrant classification e.g. F-1, etc.*)

Out of Status (*state nonimmigrant violation e.g. overstay student etc.; EWI*)

Alien Registration Number (<i>If any</i>)	Social Security Number
---	------------------------

Are you now or have you ever been under immigration proceedings?
☐ Yes ☐ No Where _____ When _____
☐ Exclusion ☐ Deportation ☐ Rescission ☐ Judicial Proceedings

Part 3. Information about Your spouse and children (*if any*)

Name of Spouse Last	First	Middle Initial
---------------------	-------	----------------

Address (number and street)	Apt #
-----------------------------	-------

Town/City	State
-----------	-------

Country	Zip/Postal Code
---------	-----------------

FOR INS USE ONLY

Remarks

Action Stamp

Fee Stamp

Case ID#:

A#:

To Be Completed by
Attorney or Representative, if any
Fill in box if G-28 is attached to represent the applicant

VOLAG#

ATTY State License #

Part 3. Information about your spouse and children (con't)

Date of Birth (<i>month/day/year</i>)	Date and Place of Present Marriage
Name of prior husbands/wives	Date(s) Marriage(s) Ended

List the names, ages, and current residence of any children

Name - (Last)	(First)	(Middle Initial)	Date of Birth	Residence

Part 4. Eligibility Standards

1. Fill in the necessary information:

I am a national of the foreign state of _____, and I entered the United States on _____, and I have resided in the United States since that time.

2. To be eligible for Temporary Protected Status, you must be admissible as an immigrant to the United States, with certain exceptions. Do any of the following apply to you?

- a. have you been convicted of any felony or 2 or more misdemeanors committed in the United States;
- b. (i) have you ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group or political opinion;
- (ii) have you been convicted by a final judgment of a particularly serious crime, constituting a danger to the community of the United States (an alien convicted of an aggravated felony is considered to have committed a particularly serious crime);
- (iii) have you committed a serious nonpolitical crime outside of the United States prior to your arrival in the United States; or
- (iv) have you engaged in or are you still engaged in activities that could be reasonable grounds for concluding that you are a danger to the security of the United States;
- c. (i) have you been convicted of, or have you committed acts which constitute the essential elements of a crime (other than a purely political offense) or a violation of or a conspiracy to violate any law relating to a controlled substance as defined in Section 102 of the Controlled Substance Act;
- (ii) have you been convicted of 2 or more offenses (other than purely political offenses) for which the aggregate sentences to confinement actually imposed were 5 years or more;
- (iii) have you trafficked in or do you continue to traffic in any controlled substance or are or have been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking of any controlled substance;
- (iv) have you engaged or do you continue to engage solely, principally, or incidentally in any activity related to espionage or sabotage or violate any law involving the export of goods, technology, or sensitive information, any other unlawful activity, or any activity the purpose of which is in opposition, or the control, or overthrow of the government of the United States;

Part 4. Eligibility Standards (con't)

- (v) have you engaged in or do you continue to engage in terrorist activities;
 - (vi) have you engaged in or do you continue to engage or plan to engage in activities in the United States that would have potentially serious adverse foreign policy consequences for the United States;
 - (vii) have you been or do you continue to be a member of the Communist or other totalitarian party, except when membership was involuntary; and
 - (viii) have you participated in Nazi persecution or genocide.
- d. have you been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations, or been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action;
 - e. have you committed a serious criminal offense in the United States and asserted immunity from prosecution;
 - f. have you within the past 10 years engaged in prostitution or procurement of prostitution or do you continue to engage in prostitution or procurement of prostitution;
 - g. have you been or do you intend to be involved in any other commercial vice;
 - h. have you been excluded and deported from the United States within the past year, or have you been deported or removed from the United States at government expense within the last 5 years (20 years if you have been convicted of an aggravated felony);
 - i. have you ever assisted any other person to enter the United States in violation of the law;
 - j. (i) do you have a communicable disease of public health significance,

(ii) do you have or have you had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety or welfare of yourself or others;

(iii) are you now or have you been a drug abuser or drug addict;
 - k. have you entered the United States as a stowaway;
 - l. are you subject to a final order for violation of section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act);
 - m. do you practice polygamy;
 - n. were you the guardian of, and did you accompany another alien who was ordered excluded and deported from the United States;
 - o. have you detained, retained, or withheld the custody of a child, having a lawful claim to United States citizenship, outside the United States from a United States citizen granted custody.

If any of the above statements apply to you, indicate which one(s) by number reference on the line below (for example "2 k") and include a full explanation on a separate piece of paper. If you were ever arrested you should provide the disposition (outcome) of the arrest (for example, "case dismissed") from the appropriate authority.

PLEASE NOTE: If you placed any of the following numbered references on the line above you may be eligible for a waiver of the grounds described in the statements: 2e; 2f; 2g; 2h; 2i; 2j; 2k; 2l; 2m; 2n; 2o. Form I-601 or I-724 are the Service forms used to request a waiver. These forms are available at INS offices.

Part 5. Your Certification

Your Certification: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to the INS at a later date. Furthermore, I authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit that I am seeking.

Signature: _____ Date: _____ Telephone No.: _____

Signature of Person Preparing Form if other than above:

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name: _____ Signature: _____ Date: _____

Address: _____

Part 6. Checklist

☐ Have you answered each question?

☐ Have you signed the application?

Have you enclosed:

☐ The filing fee for this application or a written request for a waiver of the filing fee (see instructions, item 12)?

☐ Supporting evidence to prove identity, nationality, date of entry and residence?

☐ Other required supporting documents (fingerprint charts, pictures etc.) for each application?

IT IS NOT POSSIBLE TO COVER ALL THE CONDITIONS FOR ELIGIBILITY OR TO GIVE INSTRUCTIONS FOR EVERY SITUATION. IF YOU HAVE CAREFULLY READ ALL THE INSTRUCTIONS AND STILL HAVE QUESTIONS, PLEASE CONTACT YOUR NEAREST INS OFFICE. IT IS RECOMMENDED THAT YOU KEEP A COMPLETE COPY OF THIS APPLICATION FOR YOUR RECORDS.